

1 ENGROSSED SENATE
2 BILL NO. 246

By: Pittman of the Senate

3 and

4 Munson of the House

5
6 An Act relating to education; amending 70 O.S. 2011,
7 Section 11-103.3, which relates to AIDS prevention
8 education; providing definitions; modifying the type
9 of prevention education to be taught in public
10 schools; removing certain limitation; modifying the
11 type of resources to be made available; modifying
12 inspection requirement for curriculum and materials;
13 modifying the goals of certain education; updating
14 terms; and requiring resources to include certain
15 elements.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. AMENDATORY 70 O.S. 2011, Section 11-103.3, is
18 amended to read as follows:

19 Section 11-103.3. A. ~~Acquired immune deficiency syndrome~~
20 ~~(AIDS)~~ As used in this section:

21 1. "AIDS," or "Acquired Immune Deficiency Syndrome," means the
22 final and most serious stage of HIV causing damage to the immune
23 system and includes a great number of opportunistic infections which
24 normally end in death;

2. "HIV," or "Human Immunodeficiency Virus," means a human
retrovirus and the virus known to cause AIDS; and

3. "PLWH" means People Living with HIV/AIDS.

1 B. HIV/AIDS prevention education shall be taught in the public
2 schools of this state. ~~AIDS prevention education shall be limited~~
3 ~~to the discussion of the disease AIDS and its spread and prevention.~~

4 Students shall receive such education:

5 1. ~~at~~ At the option of the local school district, a minimum of
6 once during the period from grade five through grade six;

7 2. ~~a~~ A minimum of once during the period from grade seven
8 through grade nine; and

9 3. ~~a~~ A minimum of once during the period from grade ten through
10 grade twelve, with heightened emphasis on modes of transmission,
11 prevention methods, virology and relevant statistics.

12 ~~B.~~ C. The State Department of Education shall develop
13 ~~curriculum and materials~~ or provide medically accurate resources for
14 ~~AIDS~~ HIV/AIDS prevention education in conjunction with the State
15 Department of Health. A school district may also develop its own
16 ~~AIDS~~ HIV/AIDS prevention education curriculum and materials. Any
17 curriculum and materials developed for use in the public schools
18 shall be approved by the State Department of Health for medical
19 accuracy ~~by the State Department of Health~~ a minimum of once every
20 two (2) years. A school district may use any curriculum and
21 materials which have been developed and approved pursuant to this
22 subsection.

23 ~~C.~~ D. School districts shall make the curriculum and materials
24 that will be used to teach ~~AIDS~~ HIV/AIDS prevention education

1 available for inspection by the parents and guardians of the
2 students that will be involved with the curriculum and materials.
3 Furthermore, the curriculum must be limited in time frame to deal
4 only with factual medical information for AIDS prevention. The
5 school districts, at least one (1) month prior to teaching AIDS
6 prevention education in any classroom, shall conduct for the parents
7 and guardians of the students involved during weekend and evening
8 hours at least one presentation concerning the curriculum and
9 materials that will be used for such education pursuant to Section
10 2003 of Title 25 of the Oklahoma Statutes.

11 E. No student shall be required to participate in ~~AIDS~~ HIV/AIDS
12 prevention education if a parent or guardian of the student objects
13 in writing to such participation.

14 ~~D.—AIDS~~ F. HIV/AIDS prevention education shall specifically
15 teach students that:

16 1. ~~engaging in homosexual activity, promiscuous~~ Participating
17 in high-risk sexual activity, ~~intravenous~~ according to the Centers
18 for Disease Control and Prevention, injection drug use or contact
19 with contaminated blood products is ~~now~~ known to be ~~primarily~~
20 ~~responsible~~ the primary means for ~~contact with the AIDS virus~~ the
21 transmission and contraction of HIV;

22 2. ~~avoiding the activities specified in paragraph 1 of this~~
23 ~~subsection is the only method of preventing the spread of the virus~~
24 Upon participating in an activity specified in paragraph 1 of this

1 subsection, a person should be regularly tested for HIV so they may
2 be linked to treatment as early as possible, as an undetectable
3 viral load greatly decreases the likelihood an individual will
4 transmit the virus to others;

5 3. ~~sexual intercourse~~ High-risk sexual behavior, with or
6 without condoms, with ~~any person testing positive for human~~
7 ~~immunodeficiency virus (HIV) antibodies, or any other person~~
8 ~~infected with HIV,~~ a PLWH or a person who does not know their
9 current HIV status places that ~~individual~~ person in a high-risk
10 category for ~~developing AIDS~~ contracting HIV.

11 ~~E. G.~~ The program of AIDS HIV/AIDS prevention education shall
12 teach that abstinence from sexual activity is the only certain means
13 for the prevention of the spread or contraction of the AIDS virus
14 HIV/AIDS through sexual contact. It shall also teach that
15 artificial means of birth control are not a certain means of
16 preventing the spread of the AIDS virus HIV/AIDS and reliance on
17 such methods puts a person at risk for exposure to the disease
18 virus.

19 ~~F. H.~~ 1. The State Department of Health and the State
20 Department of Education shall update ~~AIDS~~ HIV/AIDS prevention
21 education curriculum material as newly discovered medical facts make
22 it necessary.

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1 2. HIV resources should include current and/or updated
2 information on modes of transmission, prevention methods, virology
3 and statistics related to HIV/AIDS and PLWH.

4 Passed the Senate the 15th day of March, 2017.

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Presiding Officer of the Senate

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8 Passed the House of Representatives the ____ day of _____,
9 2017.

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Presiding Officer of the House
of Representatives

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